



Security Council

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**PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
SEVEN HUNDRED AND SIXTEENTH MEETING**

Held at Headquarters, New York,
on Wednesday, 22 October 1986, at 3.30 p.m.

President: Mr. AL SHAALI

(United Arab Emirates)

Members: Australia
Bulgaria
China
Congo
Denmark
France
Ghana
Madagascar
Thailand
Trinidad and Tobago
Union of Soviet Socialist Republics
United Kingdom of Great Britain and
Northern Ireland
United States of America
Venezuela

Mr. WOOLCOTT
Mr. TSVETKOV
Mr. LIANG Yufan
Mr. GAYAMA
Mr. BIERRING
Mr. de KEMOULARIA
Mr. DUMEVI
Mr. RABETAFIKA
Mr. NIYOMRERKS
Mr. ALLEYNE
Mr. BELONOGOV

Sir John THOMSON
Mr. WALTERS
Mr. AGUILAR

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The meeting was called to order at 4.05 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

LETTER DATED 17 OCTOBER 1986 FROM THE PERMANENT REPRESENTATIVE OF NICARAGUA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/18415)

The PRESIDENT (interpretation from Arabic): In accordance with the decision taken by the Council at its 2715th meeting, I invite the Minister for Foreign Affairs of Nicaragua to take a place at the Council table.

At the invitation of the President, Mr. D'Escoto Brockmann (Nicaragua) took a place at the Council table.

The PRESIDENT (interpretation from Arabic): I should like to inform members of the Council that I have received letters from the representatives of Cuba, India, Iraq, Mexico, Peru and Yugoslavia in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Oramas Oliva (Cuba), Mr. Gharekhan (India), Mr. Kittani (Iraq), Mr. Moya Palencia (Mexico), Mr. Alzamora (Peru) and Mr. Pejic (Yugoslavia) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT (interpretation from Arabic): The Security Council will now resume its consideration of the item on its agenda.

Mr. WALTERS (United States of America): We are once again gathered at the request of Nicaragua to consider, for the third time, the June ruling of the International Court of Justice. It has become painfully apparent that the Sandinistas pay only lip-service to the serious nature of this body's deliberations. It is a travesty that this Council is forced to listen yet again to shopworn Sandinista complaints, while Sandinista aggression against their neighbours and repression at home continue unabated.

Let me be very clear from the outset that the policies of my Government with respect to the Nicaraguan democratic resistance have in no way changed since this topic was first raised by Nicaragua in this body. The Administration's request to the United States Congress for assistance to the democratic resistance was no secret. Indeed, it was expressly debated in this very room not three months ago.

What Nicaragua has done is to seize on the fulfilment of that request as a pretext to bring this Council once again the distortion that Nicaragua rather than its neighbours is the innocent victim. We reject those distortions today as we have rejected them in the past. The Sandinistas' aggression against their neighbours and repression of the people of Nicaragua are the issues which this Council should be considering.

If there is a difference at all since Nicaragua last convoked this body, it is that on this occasion Nicaragua has selected a new procedural vehicle for airing its complaint. The position of my Government concerning the absence of jurisdiction and competence on the part of the International Court of Justice to pass upon Nicaragua's allegations has long been a matter of public record.

Acceptance of the jurisdiction of the Court is a matter of consent. It is not something that happens as a function of membership in the United Nations pursuant

(Mr. Walters, United States)

to the Charter or the Statute of the International Court of Justice. That is why, of the 14 members of the Council other than the United States, 11 do not accept the compulsory jurisdiction of the Court at all - let me repeat, 11 out of 14 do not accept the compulsory jurisdiction of the Court at all - and the remaining three members of the Council have subjected their acceptance of the Court's jurisdiction to understandings and reservations.

The United States does not accept the proposition that we have consented to the jurisdiction of the Court in the case brought by Nicaragua. Consequently, we do not believe that the current item brought by Nicaragua under Chapter XIV, Article 94, of the Charter has any merit. There is nothing in Chapter XIV of the Charter that speaks to the question of jurisdiction and nothing anywhere in the Charter that can be said to create consent to jurisdiction where none exists.

Let me return briefly to the legislation I referred to a moment ago. As Council members are aware, President Reagan signed on Saturday, 18 October, legislation authorizing provision of assistance to the Nicaraguan democratic resistance. The legislation makes clear that United States policy towards Nicaragua will continue to be based upon that Government's responsiveness to continuing concerns affecting the national security of the United States and Nicaragua's neighbours about the following: first, Nicaragua's close military and security ties to Cuba and the Soviet Union and its Warsaw Pact allies, including the presence in Nicaragua of military and security personnel from those countries; secondly, Nicaragua's build-up of military forces in numbers grossly disproportionate to those of its neighbours and the fact that Nicaraguan forces are equipped with sophisticated weapons systems and facilities designed to accommodate even more advanced equipment; thirdly, Nicaragua's unlawful support for armed subversion and terrorism directed against the democratically elected Governments of other countries; fourthly, Nicaragua's internal repression and the lack of

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opportunity for the exercise of those civil and political rights that would allow the people of Nicaragua to have a meaningful voice in determining the policies of their Government through participation in regularly scheduled free and fair elections and the establishment of democratic institutions; and, fifthly, Nicaragua's refusal to negotiate in good faith for a peaceful resolution of the conflict in Central America based upon the comprehensive implementation of the September 1983 Contadora Document of Objectives and, in particular, its refusal to engage in a serious national dialogue with all elements of the Nicaraguan democratic opposition.

We began discussing this aid package in February, when, however, we were asked to delay this assistance to allow the Sandinista Government yet another "last chance" to demonstrate its desire to negotiate. Nine months have passed, during which the Government of Nicaragua has not made a single genuine move towards negotiations. On the contrary, the Sandinistas have again obstructed regional negotiations by filing additional frivolous suits in the International Court of Justice against their neighbours Honduras and Costa Rica, while purporting to want to sit down with them at the negotiating table.

The legislation recently passed by the United States Congress aims to promote the prospects of achieving a negotiated regional settlement. Relevant parts of the law read as follows:

"The purposes of this joint resolution are to promote peace, stability and democracy in Central America, to encourage a negotiated resolution of the conflict in the region ..."

I quote again:

"Assistance to the Nicaraguan democratic resistance under this title shall be provided in a manner designed to encourage the Government of Nicaragua to respond favourably to the many opportunities available for achieving a negotiated settlement of the conflict in Central America."

(Mr. Walters, United States)

To provide the Sandinistas with an incentive to negotiate seriously, the legislation stipulates that the assistance is to be disbursed in separate tranches. The Sandinistas' willingness to negotiate in earnest is a key factor in determining whether subsequent tranches are to be disbursed. As further evidence of our desire for a diplomatic resolution of this conflict, the law also authorizes \$2 million to facilitate the participation of Costa Rica, El Salvador, Guatemala and Honduras in regional meetings and negotiations to promote peace.

As I have told the Council before, we are convinced that the Sandinistas' behaviour has demonstrated that the Nicaraguan régime will negotiate seriously with the opposition and its neighbours only when under pressure to do so. Our assistance to the Nicaraguan democratic resistance is the essential element needed to convince the Government of Nicaragua to enter into such negotiations.

How ironic it is to hear the Nicaraguan Foreign Minister present the case of a captured airman as evidence of United States intervention. I say ironic because it was in January 1981, over five years ago, that another airman was captured while involved in supplying arms to anti-Government forces. However, that airman, Julio Romero Talavera, was captured by the Salvadorian authorities. He was linked to the clandestine operation mounted out of the Papalonal airstrip in Nicaragua to smuggle arms and other war material to the Marxist insurgents in El Salvador. This operation had the total and active support of the Nicaraguan Government. The importance of Mr. Romero Talavera to the Salvadorian guerrillas was underscored last year when they included his name on the list of prisoners they demanded be exchanged for the kidnapped daughter of President Duarte. As is well known, Managua was the focal point of all negotiations about the release of President Duarte's daughter.

The Romero Talavera case is but one early example of a large and continuing effort by the Sandinistas materially to support Marxist insurgents in neighbouring

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countries. As they have put into practice their policy of revolutionary internationalism, they have flouted international law and violated their pledge to the international community not to export their revolution. The evidence is massive and undeniable that the Sandinistas have provided a wide range of support, including training, weapons, ammunition and other vital supplies, command-and-control headquarters and advice to the Marxist insurgents seeking to overthrow the democratically elected Government of El Salvador. They have facilitated the use of Nicaragua as a rear-area sanctuary for the rebels and a headquarters for their political arm.

(Mr. Walters, United States)

Their subversive acts have not been limited to El Salvador, of course. They have provided covert assistance to subversive groups throughout the region. Their attempts to infiltrate subversives into Honduras in 1983 and 1984 are well known. So are their efforts to support terrorists in Costa Rica, the region's oldest democracy. Need I remind anyone of the Sandinistas' ties with other terrorists, such as those shown by their provision of weapons to the Colombian M-19, which were used in the heinous attack on the Palace of Justice in Bogota? Since 1979 the Sandinistas have turned Nicaragua into a haven for terrorists from around the world.

Let us now look at what the Sandinistas have done at home. Let me emphasize that it is not Americans who have risen up in arms against the broken promises and repression of the brutal régime. Those who are bringing sorrow, suffering, death and slavery to the people of Nicaragua are the leaders of the Sandinista régime. The Sandinistas have so betrayed their own promise of freedom that more than 20,000 Nicaraguans have taken up arms against them and hundreds of thousands more are in exile.

In past meetings I have detailed the many abuses of the Nicaraguan régime against its own people. During the past five months the Sandinista régime has moved aggressively to consolidate further its totalitarian rule, intensifying its drive to silence and immobilize Nicaragua's civil opposition. The ruthless assault on the Catholic Church, the private sector, the free press and the political opposition is designed to close all avenues of legal dissent.

Official Sandinista propaganda organs have attacked the Catholic Church hierarchy for defending religious liberty in Nicaragua. The volume of attacks on Cardinal Miguel Obando y Bravo, Bishop Pablo Antonio Vega of Juigalpa and Church spokesman Monsignor Bismarck Carballo reached a crescendo in June. On 28 June the

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Sandinista régime denied Monsignor Carballo re-entry to Nicaragua. On 4 July it expelled Bishop Vega from the country. The forced exile of the two clerics was dismissed by President Ortega, who suggested that these men should have received 30-year prison terms.

On 26 June the Ministry of the Interior ordered the indefinite closure of Nicaragua's last vestige of a free press, La Prensa. The shut-down consolidated Sandinista control of the dissemination of information within the country. Despite public protests by the Catholic Church, the Permanent Commission on Human Rights and the Democratic Co-ordinating Committee, and condemnations by the international press, Comandante Bayardo Arce called the action "irreversible". The Sandinistas seem to regard everything they do as irreversible. History will prove them wrong; the destruction of freedom is never irreversible.

Paralyzing restrictions, including a ban on strikes and labour organizations, have effectively eliminated activity by independent labour organizations. The two largest independent confederations have been reduced to issuing pleading but fruitless appeals and protests on behalf of their members. Arrests of labour activists have continued.

Repression of Nicaragua's political opposition remains intense. A notable change in the régime's tactics was the apparent decision to move forcefully against the other parties represented in the National Assembly. Heretofore they had been largely exempted from the more obvious forms of harassment because of the parties' utility as "proof" of the régime's pluralistic nature. For example, in response to the Independent Liberal Party's increasingly outspoken criticism of régime policies, the Sandinistas, in mid-May, carried out night raids on the homes of 35 party members, arresting them on charges of conspiracy.

(Mr. Walters, United States)

I should like to address the allegations regarding the United States citizen currently on trial in a kangaroo court in Nicaragua, Mr. Hasenfus. I reiterate to this body my Government's repeated assurances that the flight in which Mr. Hasenfus took part was a private initiative. It was not organized, directed or financed by the United States Government. I shall also reiterate that we consider Mr. Hasenfus and his associates, the late Mr. Cooper and Mr. Sawyer, to be brave men who were engaged in the task of helping the people of Nicaragua in their struggle towards freedom. Many private citizens have come forward to help in that struggle for freedom. We do not know who they all are, any more than we know the identity of all the Americans helping the Sandinista régime. Americans are free to support either side in Central America, and, unlike Nicaragua, we do not consider it a legitimate task of Government to track down who is contributing what to whom so long as our laws are not violated.

The conditions of Mr. Hasenfus' detention in Nicaragua have been consistent with the Sandinista preoccupation with exploiting the media. We deplore the carnival nature of the proceedings. This man has been held for two weeks. During that period he has been paraded before the press on several occasions, made a decision to accept a rapid trial and supposedly made a written confession.

However, until after Monday's session he had had no opportunity to meet with his attorney; he had seen his wife only in a 45-second-long photo session; and he had met only once with a consular officer, for 10 minutes in the presence of seven Sandinista officials. We do not believe that actions taken in such a coercive environment can be considered voluntary or informed. This certainly does not provide acceptable standards of due process.

(Mr. Walters, United States)

The facts of the current situation in Central America are clear. The Sandinista régime has been and continues to be guilty of the worst sort of totalitarian oppression against its people in its single-minded attempts to subvert its neighbours. To divert attention from its own reprehensible actions, the Nicaraguan régime has manipulated the International Court of Justice, the United Nations General Assembly, this Council and a number of other international forums founded to pursue topics far more important and meritorious than those of Sandinista propaganda.

Simply stated, the Sandinista régime must come to terms with its own people. Serious negotiations to end the Nicaraguan civil war are the only possible route to an equitable settlement and the Government of the United States urges in the strongest possible terms that such talks begin, the sooner the better. Only then will we see justice prevail in Nicaragua and, lamentably, only then, apparently, will we be spared the continual abuse of this body in Sandinista ploys to avoid the path to a peaceful settlement in Central America.

Yesterday, the Nicaraguan Foreign Minister sought in outrageous fashion to compare my Government with that of Nazi Germany. This statement dishonours those who make it. I take pride in the crucial role the United States played in ending the Nazi tyranny, and in noting that hundreds of thousands of our finest young men sacrificed their lives in the fight for freedom. I take pride that I participated personally in that noble struggle for liberty. Unfortunately, the Sandinista régime is incapable of conceiving the true meaning of liberty. If Mr. D'Escoto wishes to cite examples of contemporary barbarism against a minority people, he has one at hand: the persecution by his own Government of the Miskito Indians.

The PRESIDENT (interpretation from Arabic): The next speaker is the representative of India. I invite him to take a place at the Council table and to make a statement.

Mr. GHAREKHAN (India): Sir, since this is the first time this month that my delegation is addressing the Council, may I join those who have spoken before me in congratulating you on your assumption of the presidency of the Security Council for October. We are confident that with your considerable diplomatic skill and experience you will guide the deliberations of this Council, as you have done so far, with distinction. I also take this opportunity to express our appreciation to Ambassador Belonogov, the Permanent Representative of the Union of Soviet Socialist Republics for the exemplary manner in which he conducted the deliberations of the Council in September.

The item relating to the situation in Central America has been on the agenda of the United Nations General Assembly for more than three years. For the twelfth time over this period, Nicaragua has felt compelled to have recourse to the Security Council. This is indicative of the tension that prevails in Central America as well as of the sense of insecurity that the Government and people of Nicaragua continue to experience. This is perhaps the first time that a Government has come to the Security Council under Article 94 of the United Nations Charter, to seek compliance by a Member State with a judgment of the International Court of Justice. Paragraph 2 of Article 94 states, inter alia:

"If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment".

(Mr. Gharekhan, India)

In this context, we have listened with attention and concern to the statement of the Foreign Minister of Nicaragua, who has explained the circumstances which have led his country to take recourse to this measure.

It is a matter of regret that Security Council resolution 562 (1985) has not had the desired positive effect in Central America. The situation there continues to deteriorate, endangering peace and stability in the region. Central America has figured prominently among the issues engaging the attention of the Movement of Non-Aligned Countries. At the Eighth Conference of Heads of State or Government of Non-Aligned Countries held at Harare in August-September 1986, the Movement reiterated its solidarity with Nicaragua. The Non-Aligned Movement has time and again reiterated that States have the inalienable right to chose their political, economic and social system free from outside interference.

I should like to take this opportunity to reaffirm the ties of solidarity and friendship which the Government and people of India have for the Government and people of Nicaragua. As developing countries we face similar problems of development and nation-building. We are prepared to share, in whatever manner possible, our experience with them.

In the more specific issue before us today, that is, the judgment of the International Court of Justice of 27 June 1986, I should like to quote from the Declaration of the Heads of State or Government of Non-Aligned Countries in Harare:

"The Heads of State or Government urged the United States to comply with the ruling of 10 May 1984 on Provisional Measures of Protection and the Judgment of 2 November 1984 on the jurisdiction and admissibility of the demand of 9 April 1984 presented by Nicaragua. They further called upon the United States to comply with the decision of the International Court of

(Mr. Gharekhan, India)

Justice delivered on 27 June 1986, especially the findings of the Court that the United States, by its many hostile acts against Nicaragua, violated international law, that it is under a duty immediately to cease and to refrain from all such acts; that it is under an obligation to make reparations to the Republic of Nicaragua; and that the form and amount of such reparations, failing agreement between the parties, will be settled by the Court."

It is our conviction that peace in Central America can be brought about only if policies of intervention, interference and intimidation, the threat of use of force and other coercive measures are eschewed. We have welcomed and fully supported the diplomatic efforts of the Contadora Group of countries and of the Lima Support Group, aimed at securing a negotiated solution to the crisis in Central America. We remain convinced that the Contadora Group represents an authentic regional initiative for solving the Central American problem by peaceful means. We urge all States concerned to increase their efforts in order to bring the peace process spearheaded by the Contadora Group to fruition. We are confident, too, that the Lima Support Group will contribute significantly to strengthening the efforts for peace in the region.

Important and indeed, vital, as these efforts are, they cannot succeed without the full co-operation of the international community. We all have a duty. We all have a responsibility. In being fully responsive to our obligations under the Charter, we can contribute to the maintenance of international peace and security.

The PRESIDENT (interpretation from Arabic): I should like to thank the representative of India for his kind words addressed to me.

The next speaker is the representative of Peru. I invite him to take a place at the Council table and to make a statement.

Mr. ALZAMORA (Peru) (interpretation from Spanish): Two weeks ago my delegation spoke in this Council in favour of peace and a negotiated solution to a bloody conflict; yesterday, my delegation spoke in the plenary meeting of the General Assembly in favour of non-intervention and self-determination in another highly disturbed region of the world. Today, for the same reasons of principle, and in accordance with our legal tradition, my delegation feels impelled to speak again on another case that includes constituent elements of those two I have mentioned, but that essentially involves a universal value of priority importance that lies at the very origin and reason for the existence of this Organization, and hence involves the fate of everyone of its Members.

(Mr. Alzamora, Peru)

I refer to the international legal order and consequently to the central issue of whether or not States Members of this Organization are protected by international law, whether the legal order is observed and respected and whether we do indeed rely on a collective system of guarantees that can ensure that Member States have the possibility of peaceful coexistence.

This is a fundamental global issue that, because of its implications for future conduct of the international system, goes beyond protagonists or partners and also beyond the framework of any bilateral dispute or any given contentious issue and finally raises for the United Nations, for this Council and for every Member State the question of whether the United Nations supports the international legal order, for which it was established and founded, whether it protects the Charter and the system of guarantees laid down therein, or whether we have to admit that we are all exposed to the law of the mighty.

If inaction by the United Nations shows that those guarantees do not exist, our status as independent sovereign States is called into question and our capacity as States Members of the world Organization established to consolidate peace and law is a fiction.

We are aware that force has always been present in the practice of international relations and that today it is being applied in several regional conflicts, some of which we have already mentioned. But this one has two distinctive characteristics that give it and this debate a unique normative and illustrative character. It is a conflict in which the highest court of the world has already declared what is right and has pointed out the responsibilities in a decision that the United Nations Charter makes it binding to respect.

What is more, it is a regional conflict for which there exists a mechanism and a process of negotiation for peaceful settlement established by eight countries of

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the region that all the parties directly or indirectly involved have accepted and have said they are willing to observe. None the less the public commitment entered into and repeatedly endorsed in favour of peaceful settlement has in practice been replaced by escalating violence and growing direct support for military operations.

This debate is of exceptional importance in at least three areas: the legal order as a collective expression to regulate international relations; the political order with regard to the abuse of power or its use for purposes of hegemony; the order of the national security of small and medium-sized States which make it their priority to base their national independence and sovereignty on whole-hearted respect for the principles of non-intervention, non-use of force and non-interference in the internal affairs of other States.

Besides its normative value for the present and the future, the decision of the International Court of Justice enables the international community to have an objective judgement from the legal standpoint on a situation that is increasingly obscured by ideological struggle and criteria of a markedly military and political cast.

The decision points to irrefutable instances of violation of the obligations of non-interference in the internal affairs of other States, non-use of force and non-violation of the national sovereignty of other States.

In addition, these violations are of very special significance to the Latin American and inter-American legal system because, since they embarked on an independent life, the Latin American States have been highly sensitive to the legal regulation of their foreign affairs. A long succession of foreign interferences taught them early that sovereignty had to be safeguarded by the rule of international law.

(Mr. Alsamora, Peru)

Since then the drafting and regulating of the principle of non-interference has gone from being regional to being universal. After a long struggle, the principle of non-interference has become a positive rule of international law. It went from regional legal institutions to universal bodies. Non-interference, as derived from the decision of the Court, is an imperative rule, a conventional rule and a customary rule of international law. Hence the international instruments that explicitly enshrine the principle have recovered their full force, and the legal objectives are again regionally and universally endorsed by, for instance, the Inter-American Protocol on Non-Intervention adopted in Buenos Aires in 1936; the Declaration of Principles of the Eighth and Ninth Inter-American Conferences; the Charter of the Organization of American States; the Declaration on the Inadmissibility of Interference in the Internal Affairs of States (General Assembly resolution 2131 (XX)); the Declaration of Principles of International Law (General Assembly resolution 2625 (XXV)); General Assembly resolution 37/10, on the peaceful settlement of disputes; and finally the very Charter of the United Nations.

None the less I wish to make reference to two international instruments which, because of their very nature and scope, make clear the universality of the international obligation to abide by the principle of non-intervention. The Declaration of Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, the text of which was adopted without a vote by all Member States of the United Nations, expressly states that:

"No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. Consequently, armed intervention and all other forms of

(Mr. Alzamora, Peru)

interference or attempted threats against the personality of the State or against its political, economic and cultural elements, are in violation of international law.

"No State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind. Also, no State shall organize, assist, foment, finance, incite or tolerate subversive, terrorist or armed activities directed towards the violent overthrow of the régime of another State, or interfere in civil strife in another State". (General Assembly resolution 2625 (XXV))

The Helsinki Declaration negotiated and signed at the European security Conference endorsed the broad principle of non-intervention, pointing out that:

"The participating States will refrain from any intervention direct or indirect, individual or collective, in the internal or external affairs falling within the domestic jurisdiction of another participating State, regardless of their mutual relations."

Accordingly

"They will, inter alia, refrain from, direct or indirect assistance to terroristic activities, or to subversive or other activities directed towards the violent overthrow of the régime of another participating State."

(Mr. Alzamora, Peru)

We have discharged our duty as a member State of the international community in bringing to bear criteria and elements that allow a judgement to be formed pursuant to the Council's responsibility in the implementation of the provisions of the Charter. We do this with the same objectivity and conviction as one year ago when we were a member of the Council and had to assume our own responsibilities therein.

We are convinced that for the benefit of all, large and small, the Council, as in the past, will find a way to reconcile the heterogeneity of its interests with the unanimous aspiration of humanity for an order founded on peace and law, and thus will arrive at the necessary agreements to preserve the international legal order which is an essential condition for civilized coexistence.

The PRESIDENT (interpretation from Arabic): I thank the representative of Peru for his kind words addressed to me.

The next speaker is the representative of Iraq. I invite him to take a place at the Council table and to make his statement.

Mr. KITTANI (Iraq) (interpretation from Arabic): Allow me at the outset to express to you, Mr. President, and, through you, the other members of the Council our sincere thanks and appreciation for acceding to our request to participate in this debate. The Iraqi delegation and the Arab Group at the United Nations as a whole are extremely pleased with the exemplary manner in which you have been presiding over the Council's work this month.

(spoke in English)

Once again, at Nicaragua's request, the Security Council has convened to consider the judgement issued by the International Court of Justice in the case brought before it by Nicaragua. My delegation's request to take part in the present debate emanates from our conviction that the subject of the Council's

(Mr. Rittani, Iraq)

deliberations at present involves a number of fundamental principles of overriding importance. Those principles, in our view, lie at the heart of modern international relations; they constitute the very foundation upon which the entire system for the maintenance of international peace and security, so laboriously developed over the past decades, rests. We believe that every State Member of the United Nations has a stake in upholding those principles and the system of collective security enshrined in the Charter.

The first fundamental point to be reiterated on this or any similar occasion is the solemn obligation of every Member to respect the sovereignty, national independence and territorial integrity of other States. As the Court's decision clearly states, customary international law, including the provisions of the United Nations Charter, prohibits intervention in the affairs of other States.

The second principle, closely related to the first, which should be reaffirmed is the right of Nicaragua and of all other countries, whether in Central America or elsewhere, to live in peace and security, free from outside interference, decide freely their own political, economic and social systems, and develop their international relations according to their people's interests free from outside interference, subversion, direct or indirect coercion or threats.

The third point that we wish to reaffirm is the fact that, in accordance with the Charter, the International Court of Justice is the principal judicial organ of the United Nations and that, in accordance with Article 94 - and without going into polemics - each Member has undertaken to comply with the Court's decision in any case to which it is a party.

The fourth principle which must be repeated here is the clear obligation of the parties to any dispute the continuation of which is likely to endanger the

(Mr. Rittari, Iraq)

maintenance of international peace and security to seek a solution by peaceful means. As the Court's decision emphasizes - and here I refer to document S/18221, paragraph 290 - this principle is enshrined in Article 33 of the Charter, which indicates a number of peaceful means which are available to the parties. In this connection, we wish also to support the Court's reference to

"... the need to co-operate with the Contadora efforts" - and here I might add and those of the Lima Support Group - "in seeking a definitive and lasting peace in Central America, in accordance with the principle of customary international law that prescribes the peaceful settlement of international disputes." (S/18221, para. 291)

May I end on what I hope will be a positive note. Those and other central points in the judgement of the International Court of Justice reaffirm the importance for all Member States of the Court's role as the principal judicial organ of the United Nations and a means for the peaceful settlement of disputes in the interest of international peace and security. Especially at a time when the credibility of the United Nations seems to have become a favourite subject - particularly in this country - it behoves all of us to reflect seriously on the positive implications of this historic judgement which, in our opinion, goes far beyond Nicaragua and Central America.

In its landmark decision the Court has, in clear and simple language, thrown the fundamental obligations of membership in this Organization into sharp relief. Is it too much to hope that the judgement will encourage all Member States to consider seriously resorting to the Court or to procedures prescribed by the Court in its judgement to settle their disputes? Is not compliance with the Court's judgement and the settlement of this dispute through negotiations conducted in good faith the best way to enhance the credibility of the United Nations?

(Mr. Rittani, Iraq)

Finally, is it too much to hope that in the years to come we will be able to look back to June 1986 as a turning-point in international relations - away from interference in the affairs of others and in the direction of respect for the solemn obligations of States under customary international law and the United Nations Charter? We hope not.

The PRESIDENT (interpretation from Arabic): I thank the representative of Iraq for his kind words addressed to me.

The next speaker is the representative of Mexico. I invite him to take a place at the Council table and to make his statement.

Mr. MOYA PALENCIA (Mexico) (interpretation from Spanish): I should like to extend to you, Mr. President, our cordial congratulations on the wisdom with which you are conducting the work of the Security Council this month. We wish to thank the members of the Council once again for this opportunity to take part in their debates.

Yesterday, we listened attentively to the statement by the Minister for Foreign Affairs of Nicaragua, Mr. Miguel D'Escoto Brockmann. We have repeatedly emphasized the need for a negotiated solution to the Central American conflict. We have been committed to such an outcome since the beginning of the crisis, and we shall continue to hold to that commitment. Otherwise, Central America will be overtaken by violence and instability, with serious consequences for international peace and security.

We have also pointed out that in any solution to the Central American conflict the norms of international law must prevail. We cannot aspire to the normalization of relations among the Central American States if the most elementary principles of international coexistence are not fully complied with.

In Central America, among other issues, what is at stake are the principles of non-intervention and of the self-determination of peoples. Our region's history has taught us a very clear lesson: unless we uphold the validity of those principles, our viability as independent and sovereign nations will be reduced to naught. We therefore once again place on record in this forum our unqualified opposition to any violation of the sovereignty, independence and territorial integrity of any State.

The events that have prompted this meeting give cause for grave concern for three basic reasons. The first concerns their implications for the international legal order. The fact that one may disagree with the internal political process of any country, and, in particular, question the legitimacy of its Government, cannot

(Mr. Moya Palencia, Mexico)

in any circumstances justify the adoption of unilateral measures to bring about its overthrow. To accept the adoption of such measures would be to disregard and negate the principles for international order set forth in the United Nations Charter.

International law has already been flagrantly violated in Central America on previous occasions. Today, the Security Council is seized of Nicaragua's complaint with regard to the non-compliance with the judgment rendered by the International Court of Justice on 27 June of this year. We are therefore dealing with the request of a Member State to secure the faithful and complete implementation of Article 94 of the Charter. Who could be opposed to this request, designed solely to ensure strict compliance with the provisions of the United Nations Charter, to which we have all subscribed?

Article 94 is the corner-stone of the international order established at San Francisco. In it, each Member State undertakes to comply with decisions of the Court in any case to which it is a party. At the same time, we have agreed that, if any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment. We can easily see that bypassing Article 94 is tantamount to denying the full administration of international justice, to the detriment of all.

Hence the importance of the Security Council's granting of Nicaragua's request, not merely as the unilateral request of a State but also as an expression of the collective outcry of the rest of the Members of the Organization. Today, the Security Council has a historic opportunity to demonstrate, to use the words spoken by my country's Minister for External Relations a year ago:

(Mr. Moya Palencia, Mexico)

"a willingness to ensure that the Security Council carries out its responsibility effectively, achieves the aims for which it was established and overcomes its virtual paralysis resulting from an abusive exercise of the right of veto". (A/40/PV.46, p. 58)

In 1984, we had occasion to express our regret that the other party to the dispute had disregarded the authority of the highest international legal body available to the international community in connection with the mining of the Nicaraguan harbours. Then, as now, the verdict was clear and cannot be disregarded.

The second reason for my Government's concern is that there can be no doubt that the authorization - and now the actual provision - of financial assistance to counter-revolutionary groups seeking to overthrow the Nicaraguan régime represent an obstacle to efforts to bring peace to the region. In January of this year the countries of the Contadora Group and of the Support Group, including my own country, stated that one of the essential conditions for establishing a climate of trust conducive to the conclusion of negotiations on the Act on Peace and Co-operation in Central America was, precisely, the cessation of outside aid for the irregular forces operating in the area. That appeal was repeated to, inter alia, the highest-level diplomatic authorities of the United States.

It is evident that the regional peace agreement on which work has been proceeding continuously for almost four years demands, apart from the political will of the five Central American Governments, constructive contributions from countries with ties and interests in the region. That is true especially of countries which, through their political and military weight, can influence the course of events.

The third reason for disquiet arises out of the other two. Given the violation of international law and the postponement of a negotiated solution to the crisis, it is clear that there will be a build-up of the military presence in the region, that new weapons will be brought into the region and that the possibility

(Mr. Moya Palencia, Mexico)

of the spread of the conflict in the area will be heightened. In this connection we must bear in mind that the revised Contadora Act on Peace and Co-operation in Central America, which was submitted to the Central American foreign ministers on 6 June, contains specific commitments designed to reject the arms race, to eliminate the foreign military presence, and to prohibit any action in violation of international law, such as support for irregular forces.

Peace in Central America, as a product of dialogue and not of the use of force, is a shared responsibility. The political will of the Central American Governments is valid only to the extent that it is encouraged and complemented by the conduct of Governments with ties and interests in the region.

The historic problem now facing Central America derives from the extra-regional rejection of the political development to which the peoples of the region are clearly entitled. We have no hesitation in describing the authorization of financial aid for the Nicaraguan counter-revolution as a historical, political and legal error that could seriously damage the relations between the United States and Latin America.

The lesson taught by the history of inter-American relations in the post-war period is clear in the minds of all. The negotiation of the particular national features of the Latin American process, the automatic cold-war concepts that tend to equate any nationalist experiment with the antagonist bloc and the denial of and lack of respect for the dignity of peoples - all those things do little to help to create the climate of hemispheric co-operation our era so sorely needs.

(Mr. Moya Palencia, Mexico)

What is at stake, then, is the viability of the international order established in the San Francisco Charter. Fundamental values such as respect for the plurality of nations and the right of all peoples to decide their own fate are also in jeopardy. As was pointed out by the President of Mexico, Miguel de la Madrid, in the General Assembly on 24 September:

"we [cannot] remain indifferent to situations that not only jeopardize regional stability and our common future but also violate the dignity of the Peoples of Latin America and harm our legitimate national interests".

(A/41/PV.8, p. 18)

Latin America demands respect. The member countries of the Contadora Group and the Support Group have placed on record with complete clarity the essential conditions for peace in the region. We did so in the Caraballeda Message on 12 January and we reiterated this barely three weeks ago in our joint statement of 1 October. The Contadora Act contains elements that sooner or later will have to be taken into account in any negotiated settlement of the crisis. The strength of Contadora and its Support Group lies not only in unity and the harmonious combination of efforts, but also in its authentic representation of the values and principles which should sustain international relations in the American continent.

Latin America has presented an alternative to war. Latin America deserves to be heard. If its views and legitimate aspirations are disregarded the consequences for inter-American coexistence will be irreversible.

The PRESIDENT (interpretation from Arabic): I thank the representative of Mexico for the kind words he addressed to me.

The next speaker is the representative of Cuba. I invite him to take a place at the Council table and to make a statement.

Mr. ORAMAS OLIVA (Cuba) (interpretation from Spanish): Mr. President, we should like to express our deepest gratitude to you for the efficient and

(Mr. Oramas Oliva, Cuba)

praiseworthy manner in which you have conducted the business of the Security Council during this month of October.

We cannot fail to refer at this time to one of the greatest figures to emerge from the liberation struggle in recent years, the late President Samora Machel, who died barely two days ago. The name of Samora Machel is already written on several pages of the history of the peoples of the third world because of his indefatigable struggle during the emancipation saga against Portuguese colonialism and subsequently because of his resolute determination to fight for the elimination of one of the most ignoble scourges known to history - apartheid. We are convinced that the people of Mozambique and its vanguard FRELIMO will draw strength from the immeasurable sorrow they feel today and inspiration from the example of Samora Machel in order to carry forward the struggle to build a new fatherland and for the elimination of the shameful system of apartheid, which so gravely threatens the peace and security of the peoples of southern Africa.

The Minister for Foreign Affairs of Nicaragua, Miguel d'Escoto, yesterday made a telling statement manifesting yet again the profound desire of the people of Nicaragua to achieve peace and create conditions that will allow them to devote all their energies to the economic and social development to which they have a right.

Nicaragua, a victim of aggression, comes to the Security Council to request that the Council fulfil its mandate to safeguard international peace and security and press the Government of the United States to abide by the decision of the International Court of Justice and cease its direct or indirect involvement in the internal affairs of that country.

We come to the Security Council at the behest of a brother Government that has for years been suffering in a dirty war imposed upon it by the Washington Administration. Several flimsy excuses have been concocted for that criminal

(Mr. Oramas Oliva, Cuba)

policy. It is said that Nicaragua exports weapons and, since last week, the United States media have been spreading what is an open secret - namely, that the Central Intelligence Agency (CIA) and some officials in the Reagan Administration have been sending weapons to Nicaragua so that the contras can continue to assassinate the sons of the Nicaraguan people, and that this has been going on for more than five years.

One need only mention the scandal involving the mercenary Eugene Hasenfus, who was captured when the aircraft in which he was flying crashed - an aircraft carrying weapons to the contras in Nicaragua - to show the links between high officials in the Reagan Administration and persons committing criminal actions in Nicaragua. That same mercenary pointed out two so-called Cuban-Americans as those who had the job of supervising and monitoring those assistance flights for the Nicaraguan contras and identified them as Max Gomez and Ramon Medina. Max Gomez is really the CIA agent Felix Rodriguez Mendegutia, whose relations with high officials of the Reagan Administration cannot now be denied because they have themselves been obliged to recognize this. The so-called Ramon Medina, according to identification given by Eugene Hasenfus, is a terrorist, a mercenary, an assassin and an agent of the CIA, also of Cuban origin, named Luis Posada Carriles, who claimed to be a friend of the current Vice-President of the United States. He is one of the self-confessed perpetrators of the criminal sabotage carried out in 1976 against a Cuban Airlines aircraft, which caused the death of 73 people.

The United States alleges that its policy towards Nicaragua is based on the fact that that country is a threat to its national security. Rather than disinformation or a lie, this assertion would seem to be a fantasy characteristic of a Walt Disney movie, if the act of aggression carried out by the CIA in Guatemala in 1954 to overthrow the constitutional Government of Jacobo Arbenz were not still fresh in the memory of the peoples of Latin America.

(Mr. Oramas Oliva, Cuba)

Mr. Reagan's Government pressured the United States Congress into approving a \$100 million appropriation to finance the criminal activities of the counter-revolutionary gangs loosed by the United States from neighbouring Honduras against the legitimate Government of Nicaragua. Can the Security Council gloss over such a monstrous violation of international law and of the very purposes of the Charter? It is hard to find such shamelessness in history, unless it be in the barbarities of Hitler.

A permanent member of the Security Council is not only encouraging aggression and the forcible overthrow of the Government of a State Member of the United Nations, with which it is not at war, but is openly using the authority of the State to finance aggression, cynically proclaiming its aim to rid itself of the Sandinista Government and to install in power the torturers, murderers and traitors it shamelessly dubs "patriots" and "freedom fighters". What else could we expect from those who were accomplices in the assassination of Sandino and who enthroned in Nicaragua the bloody Somoza dynasty.

United States policy in Central America, and particularly in Nicaragua, runs counter to Article 1 (2) of the Charter, which states that one of the purposes of the United Nations is

"To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace".

It is time for the Council to call for the rule of reason and justice in that afflicted region of our America and to contribute to the creation of conditions to ensure respect for the obligations deriving from treaties and other instruments of international law.

(Mr. Oramas Oliva, Cuba)

My country supports Nicaragua's request that the United States abide by Article 94 of the Charter, complying without delay or subterfuge with the decision handed down by the International Court of Justice on 27 June 1986 that the United States should no longer train or supply logistical support or any kind of weaponry to the counter-revolutionary bands which claim to be fighting for freedom, but are fighting for the freedom of the bayonet.

What we are defending here today is the right of our peoples to decide on their own future, by and for themselves. That is the case of Nicaragua, because the United States has blatantly and grossly demonstrated its contempt for the right of the Nicaraguan people to choose the ways and means it deems most appropriate to escape from the underdevelopment and ostracism imposed on it by the Yankee monopolies and decades of Somoza tyranny.

It is time for the guns to fall silent and for peaceful dialogue, equal rights for all individuals and nations great and small to prevail. It is time for the generations of Nicaraguans who are suffering under the scourge of war to be allowed to enjoy the rights in which we all have an equal share: the right to life, peace, development and control of our own fate. It is time for the Government of the United States to show in practice that it is prepared to respect the Latin American countries' opposition to interference in the affairs of Nicaragua and of the region, as expressed in the efforts of the Contadora Group and the Support Group.

The members of the Security Council and of the entire international community have the obligation to work together to avert the worst in Nicaragua and, hence, in Central America. To that end, our peoples of America eagerly hope that the Security Council will adopt measures to bring about compliance with the decision of the International Court of Justice, which would undoubtedly mean a halt to all kinds of assistance from the Reagan Administration to the Somozist counter-revolution in Nicaragua.

The PRESIDENT (interpretation from Arabic): I thank the representative of Cuba for his kind words addressed to me.

The next speaker is the representative of Yugoslavia. I invite him to take a place at the Council table and to make his statement.

Mr. PEJIC (Yugoslavia): I should like first of all to express to you, Mr. President, our highest appreciation of the manner in which you are conducting the deliberations of the Security Council during the month of October.

The crisis in Central America has its roots in profound social contradictions and in the region's history of exploitation, political and economic inequality and domination. Its root causes lie in the legacy of the past and in the injustices of the present. Nicaragua has been exposed to pressure and threats for years. Reflecting the recurring waves of escalation of such pressure and threats, the issue has been before the Security Council a number of times.

Last year the Security Council adopted a resolution reaffirming the inalienable right of Nicaragua and other States of the region to decide their own political and economic systems free from outside interference, subversion, direct or indirect coercion or threats of any kind. It called on States to refrain from carrying out political, economic or military actions of any kind against any State in the region which might impede the peace objectives of the Contadora Group.

The attention of the Security Council is again focused on the same political, military and economic pressure aimed at undermining the independence and sovereignty of Nicaragua. The use or threat of use of force, and interference in internal affairs continue to burden the already difficult situation in Central America.

Those are the central issues of each and every hotbed of crisis around the world. Attempts to impose social, economic and political models on the relationships of bygone times invariably meet with determined resistance by the

(Mr. Pejic, Yugoslavia)

people. Although these crises unfold in particular regions, they have a global character. Independence and self-determination are of vital importance for this Organisation. Independence and self-determination are the basic principles of the United Nations Charter and of the policy of non-alignment. Only by abiding strictly by those principles will it be possible to find a genuine solution for the crisis in Central America.

It is in the light of those principles that the decision of the International Court of Justice of 27 June this year should be understood. In that sense it is an important guidepost for the parties involved. The Court spelled out the obligation of the parties to seek a solution by peaceful means in accordance with international law.

There is no way to disagree with the assessment that the longer the crisis in Central America lasts the more it threatens peace, security and stability in the region and throughout the world. It is reasonable to claim that it is indispensable to proceed without delay to solve the conflict peacefully and through negotiations.

(Mr. Pejic, Yugoslavia)

The Heads of State or Government of non-aligned countries, at the Eighth Conference, held in September this year in Harare, Zimbabwe, unanimously reiterated their position concerning the situation in Central America.

The Heads of State or Government appealed to all parties concerned to facilitate the establishment of the atmosphere of mutual trust necessary for achieving a just and durable settlement of the crisis in the region, based on a guarantee of the security of all States and respect for their sovereignty, national independence and self-determination.

They, inter alia, welcomed and fully supported the diplomatic efforts of the Contadora and Support Groups aimed at securing a negotiated solution to the crisis in Central America. They reiterated their conviction that Contadora represents an authentic regional initiative for solving the Central American problem by peaceful means and urged all the States concerned to increase their efforts in order to bring the peace process spearheaded by the Contadora Group to fruition.

It is encouraging that the members of the Contadora and Support Groups expressed their readiness to shoulder their full responsibility and decided to embark on a series of consultations and political negotiations in order to initiate, with the assistance of the Central American Governments and the international community, measures that would contribute effectively to the attainment of the goals of peace and unity. Therefore, Contadora deserves full support, especially from the Security Council.

It is our deepest conviction that dialogue and negotiations on an equal footing are the only way to achieve just and lasting solutions to existing international problems. Central America is no exception to this rule.

The PRESIDENT (interpretation from Arabic): I thank the representative of Yugoslavia for the kind words he addressed to me.

I should like to inform members of the Council that I have just received a letter from the representative of Argentina in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

I invite the representative of Argentina to take a place at the Council table and to make a statement.

Mr. DELPECH (Argentina) (interpretation from Spanish): Mr. President, I should like to thank the Council for allowing us the opportunity of taking part in this debate and to avail myself of this opportunity to wish you once again every success in conducting the business of the Council.

In recent years Argentina has had occasion to express here and in other international bodies its deep concern at the crisis in Central America and its very tragic consequences for the peoples of that region. This concern is shared by the whole international community and is heightened in our case because of the historical, cultural and geographical ties that link us to the countries of Central America.

We are convinced that respect for the Charter of the United Nations and the resolutions on this subject adopted unanimously by the General Assembly and the Security Council, as well as for principles such as those of non-interference in the internal affairs of other States, non-intervention, respect for the territorial integrity of States, the non-use of force or the threat of force, the peaceful

(Mr. Delpech, Argentina)

settlement of disputes, respect for human rights and the fundamental freedoms of all, is essential if there is a real desire to create conditions conducive to peace in the region.

It is essential to accept the role of the International Court of Justice in promoting the application of these principles. The Court is the principal judicial organ of the United Nations and consequently of the organized international community. The main legal systems of the world are represented therein and over the years since it was set up it has rightly gained prestige because of the balance of its deliberations and the equity of its judgments.

In the specific case under consideration, the Court has merely applied the principles embodied in the Charter of the United Nations, which also appear in the documents prepared by the Contadora Group. We feel that respect for international law in the conduct of relations between States is fundamental. Hence we urge that the decision of the International Court of Justice of 27 June 1986 be implemented.

On 31 July this year, speaking on behalf of the countries members of the Contadora Group and of the Support Group, the Permanent Representative of Venezuela had an opportunity to set out for the Council in more detail several elements of the Central American crisis and the legal factors involved. I say again that Argentina shares in every way the concepts then set out.

We are still persuaded that Contadora offers the only realistic, just means of securing a peaceful, negotiated settlement of Central America's problems and that the revised Act on Peace and Co-operation in Central America constitutes a set of commitments that could bring peace to the region if they were accepted and carried through in good faith by all the parties involved.

It is clear that the situation in Central America is worsening daily and that the possibility of more widespread warfare, with unforeseeable consequences, appears increasingly likely. The countries members of the Contadora and the

(Mr. Delpech, Argentina)

Support Groups have appealed to the reason of all the countries involved in a declaration of 1 October 1986 entitled, "Peace is still possible in Central America", which has been distributed as Security Council document S/18373. We hope that this appeal will be heard and that the countries concerned will take determined action to promote peace and negotiation and to halt the escalation of tension that is leading to warfare.

The PRESIDENT (interpretation from Arabic): I thank the representative of Argentina for the kind words addressed to me.

The Foreign Minister of Nicaragua has asked to speak in exercise of his right of reply. I therefore call on him.

Mr. D'ESCOITO BROCKMANN (Nicaragua) (interpretation from Spanish): In the words of Mr. Walters we heard the most surrealistic apologia for crime, terrorism and illegality that has ever been uttered by a member of the Security Council. Poor old United States; whatever became of the famous story of the cherry tree and its moral that one should never lie. The Reagan Administration certainly intends to bury it for ever.

(Mr. D'Escoto Brockmann, Nicaragua)

Apart from containing a series of lies, which has now become routine in United States Government statements, Mr. Walter's words turn out also to be completely beside the point. He is fully aware of that; I do not believe he is an ignoramus. He knows that Nicaragua has never alleged or insinuated that the jurisdiction of the International Court of Justice over the parties, in the complaint entered by Nicaragua, derives solely from the fact that both Nicaragua and the United States are Members of the United Nations. He knows that the Court laid down that it had jurisdiction and that each of the parties had freely and in exercise of its sovereignty accepted the jurisdiction of the Court. Mr. Walters knows that, under the Charter, if its jurisdiction is challenged it is the Court, and the Court alone, that is to decide.

There is no need to take up more of the points made by Mr. Walters. I cannot, should not and do not wish to honour the nonsensical utterances of the representative of the United States, which are born of desperation and agitation rather than reason, by commenting on them.

Legally and morally the United States Government has not a leg to stand on in defending its policy against Nicaragua and its rejection of the Court's judgment of June of this year. Perhaps the United States feels that the Court is a kangaroo court. If not, then why, since the Court handed down its judgment four months ago, does the United States Government not respect that judgment and put an end to its war of aggression against Nicaragua?

If it did so, Nicaragua would have no reason to come back to this Council, which seems to be annoying the United States Government a great deal. We would not have to come back here to ask the Council to act in accordance with its solemn obligation under the Charter.

But if the United States does not follow that course, if it does not respect the judgment and continues to violate Nicaragua's rights, I regret to tell

(Mr. D'Escoto Brockmann, Nicaragua)

Mr. Walters that we are going to have to keep coming back to this Council whenever we feel it necessary. It is the United States Government, not Nicaragua, that is to blame for this situation.

We find it really sad to see again the extent of the legal and moral bankruptcy of the United States. It is desperately trying to defend itself, but it cannot. And that is not through any lack of skill: no party in that same situation could defend itself.

The PRESIDENT (interpretation from Arabic): There are no further speakers for this meeting. The next meeting of the Security Council to continue consideration of the item on its agenda will be fixed in consultation with the members of the Council.

The meeting rose at 5.45 p.m.

